

Town of Hanover
Advisory Committee
550 Hanover Street
Hanover, MA 02339

Meeting Minutes
Wednesday April 2, 2014

Opening:

John O'Leary called the meeting to order at 7:00p.m.

Committee Attendees:

John O'Leary, Helen Graves, Donald White, Jim Van Arsdale, Jerry O'Hearn, Wayne Moores, Nicole Duhamel, Angela Blanchard, Chris Martin

Absent:

None

Meeting Minutes:

Helen Graves made a motion to accept the Meeting minutes from March 25, 2014 as amended Jim Van Arsdale seconded and it was so voted.

Meeting with Community Preservation Commission:

The Chair Woman for the CPC Diane Campbell spoke in regards to the Articles the CPC are sponsoring on this year's warrant.

ARTICLE. To see if the Town will vote, Pursuant to Massachusetts General Laws (M.G.L.) Chapter 44B (Community Preservation), and the Hanover General Bylaws, Section 4-19, to appropriate \$20,000 from the Town's Community Preservation Fund (CPF) Undesignated Reserve Balance to "develop an architectural design for a pocket park at the Gallant Field on the former Curtis School site for passive recreational use", within the scope approved by the Community Preservation Committee, said funds to

be expended for the purposes stated herein by the Town Manager, under the direction of the Community Preservation Committee, or take any other action relative thereto.

Community Preservation Committee
Park and Recreation Commission

Diane summarized the reasoning behind this article. She stated that although the Town of Hanover has many athletic fields there are no real “parks”. The proposed park would include a few small gardens. Possible house the Town’s historic barn, and possibly include a handicapped accessible playground. Diane stated that she has worked closely with Parks and Recreation on this and they are in full support.

- Don White asked Diane about the maintenance of this site. His concern is that the park and gardens would fall into disrepair with no real outline of who was responsible for the upkeep. Diane responded that these would be community gardens so they would depend on Town volunteers to maintain the park.
- Jim Van Arsdale asked Diane to clarify that the denotation of this as a pocket park would exclude it from recreation/sports usage. Diane responded that this was correct this park would not be used for sports.
- Wayne Moores asked Diane about approaching garden clubs within the Town of Hanover for design ideas. Diane responded that she had approached them and there was not any interest shown. Diane did explain that she had spoken with a local master gardener in regards to having her volunteer on the project to go toward her necessary volunteer hours to receive her certification

ARTICLE. To see if the Town will vote, Pursuant to Massachusetts General Laws (M.G.L.) Chapter 44B (Community Preservation), and the Hanover General Bylaws, Section 4-19, to appropriate \$50,000 from the Town’s Community Preservation Fund (CPF) Undesignated Reserve Balance to “create a Trail Feasibility Study”, within the scope approved by the Community Preservation Committee, said funds to be expended for the purposes stated herein by the Town Manager, under the direction of the Community Preservation Committee, or take any other action relative thereto.

Diane introduced Kevin and Chris Perry who presented some information regarding this article. They explained that the \$50,000 would go toward a study with the goal being the conversion of the existing rails to a walking trail. This study would help flush out the land ownership issues along the rail trail.

- Chris Martin voiced his concern that a large percentage of this land is privately owned and he feels that even with a study it is not a feasible trail and would ultimately be an unwise way to spend the money. Diane responded that Amy with the Conservation Commission has been working on this project and although she was unable to attend the meeting tonight she could give a clearer explanation of this project.
- John O’Leary asked Diane to have Amy touch base with Jamie Noonan to e-mail the Committee a copy of her study for their review.

ARTICLE. To see if the Town will vote to raise and appropriate, appropriate from available funds, re-appropriate from the unexpended balances of previous Town Meeting articles, and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$225,000, or another sum, to perform repairs to the Factory Pond Dam as required by the Commonwealth of Massachusetts, and furthermore to authorize the Board of Selectmen to enter into any and all inter-municipal agreements with the Town of Hanson that may be necessary to complete said repairs and to accept any permanent and or temporary easements that may be required to perform said repairs, said work to be done at the direction of the Town Manager and Director of Public Works, who are authorized to apply for and accept any Federal or State assistance that may be available, or take any other action relative thereto.

Town Manager
Director of Public Works

Diane explained that the CPC had requested that Facilities go to the Committees that deal with this issue first. Victor is meeting with the open Space Commission next week. Bob Murray has attempted to get a vote from the Historic Commission however they did not have a quorum. CPC will be meeting with the Historic Commission next week. Diane feels that because the procedure was not followed on this article the CPC will not support it.

- John O’Leary asked Diane why procedure was not followed. Diane responded that because the partial funding by the Town of Hanson came at the last minute it did not allow Victor to present it to CPC until the present time.

Meeting with the Planning Board:

Richard Deluca and Pete Matchak were present from the Planning Board to speak regarding the articles the Planning Board is sponsoring.

ARTICLE. To see if the Town will vote to amend Section 6-28 Discharges to the Municipal Storm Drain System, Section 12. Enforcement of the General Bylaws of the Town as indicated below in italics, or take any other action relative thereto.

6-28 Discharges To The Municipal Storm Drain System

Section 12. Enforcement

The Board and Commission or an authorized agent of the Board or Commission shall enforce this By-Law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations. This includes costs borne by the Board, which were directly associated with the investigation that led to the discovery of the illicit discharge.

Civil Relief. If a person violates the provisions of this By-Law, regulations, permit, notice, or order issued thereunder, the Board or Commission may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Orders. The Board and Commission or an authorized agent of the Board or the Commission may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include: (a) elimination of illicit connections or discharges to the MS4; (b) performance of monitoring, analyses, and reporting; (c) that unlawful discharges, practices, or operations shall cease and desist; and (d) remediation of contamination in connection therewith.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed.

Any person that violates any provision of these regulations may be punished, under MGL C. 40 s 21D as a noncriminal offense, ~~by fines of not more than \$300~~ **a fine of \$300**. Each day or portion thereof during which a violation continues shall constitute a separate offense. The Board and Commission or its duly authorized agent is an authorized officer to impose such fines.

Chapemedies Not Exclusive. The remedies listed in these regulations are not exclusive of any other remedies available under any applicable federal, state or local law.

If the property owner violates more than one provision of this By-Law or any condition of an approval issued hereunder, each provision, or condition, so violated shall constitute a separate offense.

Entry to Perform Duties under this By-Law. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Board, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this By-Law and regulations and may make or cause to be made such examinations, surveys or sampling as the Board deems reasonably necessary.

Planning Board
Bylaw Review Committee

** Committee needs more information*

(29)ARTICLE. To see if the Town will vote to amend the Zoning Bylaw and the Zoning Map for the Town in the manner described below, or take any other action relative thereto:

Delete the existing definition of "Medical Marijuana Treatment Center" in the Hanover Zoning Bylaw, Section 2.100 and add the following new definition:

"Registered Marijuana Dispensary: a not-for-profit entity registered under 105 CMR 725.100, to be known as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, an RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana."

Amend the Hanover Zoning Map by adding a new overlay zoning district entitled "Registered Marijuana Dispensary Overlay District" as shown on a map entitled "Registered Marijuana Dispensary Overlay District" prepared by the Town of Hanover Planning Department, and dated January 13, 2014.

The boundaries of the Registered Marijuana Dispensary Overlay District shall include all parcels of land included in that portion of the Commercial District which lies northeasterly of the westerly way line of Route 3.

Amend the Hanover Zoning Bylaw, Section 3.010, entitled "Establishment of Districts" by adding a new overlay zoning district as follows:

M. Registered Marijuana Dispensary District (Overlay District)

Amend the Hanover Zoning Bylaw Section 3.100, entitled "Location of Districts" by adding the following language under section 3.120:

G. The Registered Marijuana Dispensary District, an Overlay District, delineated as follows:

1. all of that land included in that portion of the Commercial District which lies northeasterly of the westerly way line of Route 3.

Amend the Hanover Zoning Bylaw, Section 6, "Use Regulations" by deleting Section 6.15, Temporary Moratorium for Medical Marijuana Treatment Centers and replacing it with the following language:

6.15.0 Registered Marijuana Dispensaries

It is the purpose and intent of this Section of the Zoning Bylaw to provide for the limited establishment of Registered Marijuana Dispensaries, as they are authorized by the Humanitarian Medical Use of Marijuana Act, M.G.L. c. 94C, App. § 1-1 et seq., and state regulations adopted by the Massachusetts Department of Public Health under 105 CMR 725.000, the Implementation of an Act for the Humanitarian Medical Use of Marijuana, in locations suitable for lawful Registered Marijuana Dispensaries; to minimize any adverse impacts on adjacent properties, residential neighborhoods, schools, playgrounds and other areas where children congregate, local historic districts and other areas that are incompatible with such uses; and for the location of Registered Marijuana Dispensaries where they may be readily monitored by law enforcement for health and public safety purposes.

It is neither the purpose nor intent of this Section of the Bylaw to supersede any federal or state laws governing the sale or distribution of narcotic drugs.

6.15.0 Uses Permitted by Special Permit and with Site Plan Approval

The below listed uses may be permitted upon application to and the granting of a Special Permit and Site Plan Approval by the Planning Board, acting as the Special Permit Granting Authority, as specified in Section 10 of this Zoning Bylaw. In addition to full compliance with the provisions in this Section, the applicant shall clearly demonstrate to the satisfaction of the Board that there is full compliance with all of the provisions of Sections 5.890, Special Permits, relative to the grant of the Special Permit, and full compliance with all of the provisions of Section 10, Site Plan Approval, relative to the grant of said Site Plan Approval.

The use of land or structures for a Registered Marijuana Dispensary, as such term is defined in Section 2.100, Definitions, of this Bylaw subject to all of the below listed requirements, conditions, and procedures:

- A. Special Permit Requirements: The following requirements shall be applicable to all applications for a Registered Marijuana Dispensary Special Permit:

1. No Registered Marijuana Dispensary shall commence operations without first applying for and receiving Site Plan Approval and the grant of a Special Permit from the Planning Board, acting as the Special Permit Granting Authority. A Special Permit shall be granted provided that the Planning Board finds that the applicant has complied with all of the terms, requirements, conditions, and procedures of this Section of the Zoning Bylaw. The commercial cultivation [unless it meets the requirements for an agricultural or horticultural exemption under Massachusetts General Laws Chapter 40A, Section 3 or as a hardship cultivation as allowed by state law or regulation], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Registered Marijuana Dispensary under this Section.
2. Any application for a Registered Marijuana Dispensary Special Permit shall be accompanied by an application for Site Plan Approval in accordance with the provisions of Section 10 of this Zoning Bylaw.
3. In addition to the materials required under Section 10 Site Plan Approval, the applicant shall include:
 - a. A copy of its certificate of registration to operate a Registered Marijuana Dispensary issued by the Massachusetts Department of Public Health.
 - b. A proposed timeline for achieving operation of the Registered Marijuana Dispensary and evidence that the applicant will be ready to operate within that proposed timeline.
 - c. A statement indicating the need for a Registered Marijuana Dispensary in the Town of Hanover and the projected service area including the current patient population amounts in that service area.
 - d. Evidence that the applicant has adequate liability insurance.
 - e. Copy of the detailed written operating procedures as required by the Massachusetts Department of Public Health in 105 CMR 725.105 (or its successor regulation) and as otherwise required by other applicable law or regulation.
 - f. Locations of all other Registered Marijuana Dispensaries in Plymouth County.
 - g. A description of the security measures, including employee security policies, required by the Massachusetts Department of Public Health for the Registered Marijuana Dispensary.
 - h. A copy of the emergency procedures required by the Massachusetts Department of Public Health for the Registered Marijuana Dispensary.
 - i. A copy of the policies and procedures for patient or personal caregiver home-delivery required by the Massachusetts Department of Public Health for the Registered Marijuana Dispensary.
 - j. A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between the Registered Marijuana Dispensary and another

Registered Marijuana Dispensary or independent testing laboratory as required by the Massachusetts Department of Public Health.

- k. A copy of proposed waste disposal procedures.
 - l. A description of any waivers from the Massachusetts Department of Public Health regulations granted for the Registered Marijuana Dispensary.
 - m. Details of proposed water consumption for any site that will include cultivation.
 - n. Evidence of the applicant's right to use the proposed site of the Registered Marijuana Dispensary facility such as a deed, lease or other real estate instrument.
 - o. If the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities or business organizations, rather than individuals, the applicant must disclose the identity of the owners of such entities or business organizations for each level of ownership until the disclosure contains the names of all individuals and their addresses.
 - p. A detailed floor plan of the premises of the proposed Registered Marijuana Dispensary that identifies the square footage available and describes the functional areas of the Registered Marijuana Dispensary, including areas for any preparation of marijuana-infused products.
 - q. Proposed security measures for the Registered Marijuana Dispensary, including lighting, fencing, storage, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.
 - r. Detailed site plans that include all of the information required under Section 10 of the Town of Hanover Zoning Bylaw, including distances to any of the uses identified in Subsection 6.15.0.A.2.c and Subsection 6.15.0.A.2.d below.
4. The Planning Board shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, the Conservation Commission, and the Highway Department. These boards/departments shall review the application and shall submit their written recommendations to the Planning Board.
5. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other Town's boards and departments, the Planning Board may act upon such a permit.
- B. Conditions: The following conditions shall be attached to all Registered Marijuana Dispensary Special Permits:
- 1. Special Permits granted under this Section of the Zoning Bylaw shall remain exclusively with the applicant, who shall be the owner or lessee of the premises described in the application as the site for the proposed Registered Marijuana

Dispensary. The Special Permit shall not be assignable or transferable to any other person. The Special Permit shall terminate automatically on the date there is a voluntary or involuntary alienation of the applicant's title or leasehold interest in the premises or the applicant's right to occupy the premises terminates for any reason.

2. A Special Permit issued under this Section of the Zoning Bylaw shall be valid for a period of one (1) year from the date of the decision. It shall be renewed for successive three (3) year periods provided that a written request for renewal is made to the Planning Board not less than three (3) months prior to the expiration of the then-existing Special Permit, subject to the following:
 - a. Publication of notice of said request shall be made in the same manner as would be required for an original application for a Special Permit. Said notice shall state that the renewal request will be granted unless, prior to the expiration of the then existing permit, a written objection to the renewal, stating reasons for such objection, is received by the Planning Board. In the event of such an objection, a public hearing on the renewal shall be held and shall proceed in a manner identical to the course of proceedings in connection with an original application for the grant of a Special Permit including submission of the same types of materials as required for an original filing.
 - b. The Special Permit shall remain in effect until the conclusion of the public hearing and decision of the Planning Board either granting or denying the Special Permit renewal. In granting any such renewal, the Planning Board may impose additional conditions, including but not limited to; time limits to correct violations, hours of operation and additional screening, upon which a specified lapse of time without correction or compliance by the Special Permit holder shall result in a revocation of the Special Permit.
3. No Registered Marijuana Dispensary shall be located within two hundred and fifty (250) feet of the Residence A Zoning District.
4. Registered Marijuana Dispensary may not be located within five hundred (500) feet of any school, daycare center, church, recreational facility or other locations where children may congregate in concentrated numbers such as, but not limited to ball fields, parks or libraries.
 - a. The distances specified in Subsections 3. and 4., above, shall be measured by a straight line from the nearest property line of the premises on which the proposed Registered Marijuana Dispensary is to be located to the nearest boundary line of the Residence A Zoning District or to the nearest property line of any other designated uses set forth above (as applicable).
5. No Registered Marijuana Dispensary shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet.
6. Registered Marijuana Dispensary shall not be operated without a valid permit from the Hanover Board of Health.

7. Hours of operation for any Registered Marijuana Dispensary shall be established by the Planning Board but in no event shall said facilities be open and/or operating between the hours of 8:00 PM and 8:00 AM, including any delivery services.
8. All exterior building openings, entries and windows shall be screened in such a manner as to prevent the public's view of the interior from any public or private way or from any abutting property.
9. No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Registered Marijuana Dispensary.
10. No Registered Marijuana Dispensary shall be located inside a building containing residential units, (unless hardship cultivation has been allowed by the Massachusetts Department of Public Health) including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.
11. No Registered Marijuana Dispensary may have any flashing lights visible from the exterior of the premises.
12. Exterior signs shall identify the name of the Registered Marijuana Dispensary but shall not contain any other advertisement or information.
13. Each Registered Marijuana Dispensary permitted under this Zoning Bylaw shall as a condition of its Special Permit file an annual report to the Planning Board and the Town Clerk and appear before the Planning Board no later than January 31st annually, providing a copy of all current applicable state licenses and registrations for the Registered Marijuana Dispensary and/or its owners, any updated operating policies required under 105 CMR 725.105 or by the Department of Public Health, the current insurance policies for the Registered Marijuana Dispensary, and demonstrated compliance with the conditions of the Special Permit.
14. The Special Permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) (or its successor regulation) with the Chief of Police and the Planning Board within twenty-four (24) hours of creation by the Registered Marijuana Dispensary. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
15. The Special Permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, deficiency statement, plan of correction, notice of a hearing, or final action regarding the Registered Marijuana Dispensary issued by the Department of Public Health or the Division of Administrative Law Appeals, as applicable, with the Chief of Police and the Planning Board within forty-eight (48) hours of receipt by the Registered Marijuana Dispensary.
16. The Special Permit holder shall provide to the Planning Board and the Chief of Police, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated

by the permit holder and the Special Permit holder shall immediately notify the Planning Board and the Chief of Police of any changes.

17. The Planning Board shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Registered Marijuana Dispensary in the event the Town must remove the facility. The value of the bond shall be based upon the ability to completely remove all material, plants, equipment and other paraphernalia associated with the Registered Marijuana Dispensary and to properly clean the facility at the applicable prevailing wages. The value of the bond shall be developed based upon the applicant providing the Planning Board with three (3) written bids to meet the bond requirements set forth herein. An incentive factor of 1.5 shall be applied to all bonds to ensure compliance and adequate funds for the Town to remove the items at prevailing wages.
18. Proposed Registered Marijuana Dispensary shall be subject to the provisions of Section 11 and Section 10.030 of the Zoning Bylaw for project thresholds, submission of a Development Impact Statement (DIS), and mitigation of development impacts accordingly. Said DIS shall include sections addressing impacts from the proposed development on the community, environment, traffic, municipal facilities and services (police, fire, public works, etc.), water supply, utilities and infrastructure and wastewater. The Traffic Impact Assessment required under Section 10.120.A. shall be prepared by a registered professional Traffic or Civil Engineer. The Environmental Impact Assessment required under Section 10.120.B. shall be prepared by a registered professional Environmental Engineer or other qualified professional(s) with expertise in the relevant subject matter areas.
19. The applicant shall mitigate all off-site traffic impacts anticipated by the proposed development, through the provision of reasonable off-site improvements to road capacity and safety or by other effective means.
20. The DIS shall include an assessment of the odor, safety, sound and visual impacts from the proposed development on adjacent properties and shall propose buffering and screening sufficient to mitigate odor, safety, sound and visual impacts from the proposed development.
21. The applicant shall contribute to the Hanover Police DREAM fund as mitigation for the potential adverse social and public health costs from the cultivation, sale, distribution and use of marijuana. The amount of mitigation shall be based on the annual gross sales of the Registered Marijuana Dispensary. The Registered Marijuana Dispensary shall annually supply a report and appear before the Planning Board no later than January 31st annually indicating the gross sales and supply a payment equal to five (5%) percent of gross sales to the Town of Hanover Police Dream fund.
22. Proposed Registered Marijuana Dispensaries shall be subject to the provisions of Section 10.150 Architectural Design Review of the Zoning Bylaw.
23. A Special Permit may be granted only after a determination by the Planning Board that adequate and reasonable safeguards exist to assure on a continuing basis that minors will not be allowed to gain entrance to any Registered Marijuana

Dispensary, along with compliance with all other applicable requirements set forth herein.

- C. Procedural Requirements: The following procedural requirements shall be applicable to any application for a Registered Marijuana Dispensary Special Permit:
1. A Special Permit granted under this section shall lapse within one (1) year, including such time required to pursue or await the determination of an appeal as referred to in Massachusetts General Laws Chapter 40A, Section 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause, or, in the case of a permit for construction, if construction has not begun by such date except for good cause.
 2. A Registered Marijuana Dispensary Special Permit issued under this Section of the Bylaw shall require that the owner of such business shall supply on a continuing basis to the Planning Board, Building Inspector and Zoning Enforcement Officer any change in the name of the record owner or address or any change in the name of the current manager; and that failure to comply with this provision shall result in the immediate revocation of such Special Permit.
 3. In the event the Massachusetts Department of Public Health cancels, revokes or non-renews the certificate of registration for the Registered Marijuana Dispensary, the Special Permit shall immediately become void.
 4. The Registered Marijuana Dispensary shall be required to remove all materials, plants, equipment and other paraphernalia upon the revocation, abandonment, cancellation, lapse, non-renewal or termination of the Special Permit for any reason.
 5. Any existing Registered Marijuana Dispensary shall be required to apply for a Special Permit within ninety (90) days following the adoption of this Section of the Zoning Bylaw.
- D. Severability: The provisions of this Section of the Zoning Bylaw are severable and, if any of those provisions shall be held to be unconstitutional by any court of competent jurisdiction or otherwise held invalid, the remaining provisions shall remain in full force and effect.

Planning Board

Richard Deluca present the Committee with a history of the research used to narrow the space down to the proposed site. The proposed site is in North Hanover where route 53 is banded by Route 3. He explained that Chief Sweeney is in support if this site.

- Jim VanArsdale asked Richard if the proposed site had to be a certain size. Mr. Deluca responded that it did and the proposed site meets the law mandated size requirements
- Pete Matchak followed up Mr. Deluca's response explain that their study took into accounts all of the laws mandating where a dispensary can be housed. The map presented to the Committee was created taking into account all of the Schools, Daycares, and local YMCA

allowing each of these facilities a certain buffer zone of distance from any proposed dispensary.

- Jerry O’Hearn asked if the approval of this article guaranteed a dispensary would be built at the proposed site. Both Pete and Richard explained that was not the case. This article is just following the law mandating that a dispensary location must be zoned.

ARTICLE. To see if the Town will vote to amend the Zoning Bylaw for the Town in the manner described below, or take any other action relative thereto:

Amend the Hanover Zoning Bylaw, Section 6.11.30 (VPUD) Dwelling Unit Design Requirements, by deleting this subsection and replacing it with the following:

To be inserted in place of Section 6.11.30.A

- A. Dwelling units in a VPUD shall be comprised of a mixture of dwelling types that allow for an economically viable mix of units such that:
1. Not less than one-third (1/3) of the total number of units shall be one-bedroom units.
 2. Not less than one-third (1/3) of the total number of units shall be two-bedroom units.
 3. Not more than one-third (1/3) of the total number of units shall be three or more bedroom units.

The foregoing mixture of dwelling types shall apply to a VPUD except to the extent that the requirements of this subsection are reduced, amended or waived by the Planning Board for good cause shown, consistent with the purposes of Section 6.11.0 (Village Planned Unit Development) of this Zoning Bylaw.

Planning Board

Richard Deluca explained to the Committee that the goal of allowing more units in the Village Planned Unit Development was to have these properties be mainly for sale units rather than rental units.

- Helen Graves asked how these changes would reflect in the housing units. Richard Deluca explained that it would increase the number of 2 bedroom units while decreasing the number of 1 & 3 bedroom units. He explained that the plan presented would only allow a total of 14 units to be added.
- Don White asked Richard if he was satisfied that this would be approved by the Zoning Board. Pete Matchak explained that the variance has already been approved.

ARTICLE. To see if the Town will vote to amend Section 6-28 Discharges to the Municipal Storm Drain System, Section 12. Enforcement of the General Bylaws of the Town as indicated below in italics, or take any other action relative thereto.

6-28 Discharges To The Municipal Storm Drain System

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Civil Relief. If a person violates the provisions of this By-Law, regulations, permit, notice, or order issued thereunder, the Board or Commission may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Orders. The Board and Commission or an authorized agent of the Board or the Commission may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include: (a) elimination of illicit connections or discharges to the MS4; (b) performance of monitoring, analyses, and reporting; (c) that unlawful discharges, practices, or operations shall cease and desist; and (d) remediation of contamination in connection therewith.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed.

Any person that violates any provision of these regulations may be punished, under MGL C. 40 s 21D as a noncriminal offense, *by fines of not more than \$300* **a fine of \$300**. Each day or portion thereof during which a violation continues shall constitute a separate offense. The Board and Commission or its duly authorized agent is an authorized officer to impose such fines.

Chapemedies Not Exclusive. The remedies listed in these regulations are not exclusive of any other remedies available under any applicable federal, state or local law.

If the property owner violates more than one provision of this By-Law or any condition of an approval issued hereunder, each provision, or condition, so violated shall constitute a

separate offense.

Entry to Perform Duties under this By-Law. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Board, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this By-Law and regulations and may make or cause to be made such examinations, surveys or sampling as the Board deems reasonably necessary.

Planning Board
Bylaw Review Committee

Richard Deluca explained that this is an Attorney General mandated fee.

Meeting with the School Committee:

William Mariner and Matthew Ferron were present to answer question the Committee had regarding the FY2015 budget.

- Helen Graves asked if there was a projected amount for the contractual salary increases in FY2015. Matthew Ferron responded that this year it is approximately a 1.8% increase, however that number can fluctuate.

ARTICLE 17. - SPECIAL EDUCATION EXPENSES

To see if the Town will vote to appropriate a sum of money for School Special Education Expenses to be expended by the School Committee for this purpose, or take any other action relative thereto.

Matthew Ferron explained that the issue driving this article was brought on by unexpected special education students as well as special education transportation costs causing the budget for special education to be underfunded. Superintendent Ferron explained that the decision had been made in the previous year to pre-pay all special education tuitions with reserve money leaving a gap in FY 2015.

- Helen Graves asked Mr. Ferron if his current budget for FY 2015 left him any buffer for unforeseen circumstances. Mr. Ferron responded that it did not.
- Chris Martin asked if Mr. Ferron had any concerns that this would happen again. Mr. Ferron responded that he does now. He explained that the schools had a lot of unforeseen circumstances this year. He explained that with the Abrahams report they found that the schools budget process needed to be updated. For FY 2015 they have updated everything into soft write so that going forward they should be able to better forecast the budget.

- Helen Graves asked Superintendent Ferron if he foresees the budget for FY 2016 being worse. He responded that he did foresee it being worse for the upcoming years. He wants to start to looking at long term ways to plan the school budget. The Town needs to have a clear view of how the school budget actually works to help raise awareness of the problems they are facing.

Matthew Ferron closed telling the Advisory Committee what the school is trying as hard as they can to be transparent. He thanked Janine Smith and Troy Clarkson for their help getting everything into soft write.

ARTICLE 10. - ACCEPT MGL CHAPTER 51, §16A

To see if the Town will vote to adopt Massachusetts General Laws Ch. 51 Sec. 16A, or take any other action relative thereto.

Board of Selectmen

**Helen Graves makes a motion to refer to Town Meeting Jerry O’Hearn seconded and it was so voted.*

(8)ARTICLE. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to the School Sick Leave Buyback Fund, or take any other action relative thereto.

Advisory Committee
School Committee

** Wayne Moores makes a motion to approve \$100,000 Nicole Duhamel seconded and it was so voted.*

(9)ARTICLE. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to the Town Sick Leave Buyback Fund, or take any other action relative thereto.

Advisory Committee

** Wayne Moores makes a motion to approve at \$100K Jim VanArsdale seconded and it was so voted.*

(12)ARTICLE. To see if the Town will vote to raise and appropriate \$52,082,463 for a total General Fund Operating Budget, to provide for a reserve fund and to defray the expenses of the Town, and for the purposes listed in the budget document, and to meet said appropriation transfer the sum of \$250,000 from Free Cash, and transfer the sum of \$358,739 from the Water Enterprise Fund, and transfer the sum of \$65,000 from the Cemetery Graves & Foundations account, and transfer the sum of \$10,000 from the Cemetery Perpetual Care account, and transfer the sum of \$32,851 from the Title V Betterment Program, and transfer the sum of \$675,095 from the Ambulance Receipt Reserved account, and transfer the sum of \$466,375 from the Community Preservation Fund and raise \$50,224,403 from the 2015 Tax Levy, or take any action relative thereto.

Summary of Vote	
General Government	\$ 598,369
Finance Department	\$ 673,548

Community Services	\$ 1,585,981
Police	\$ 3,447,460
Fire	\$ 2,664,070
Hanover Public School	\$ 24,027,579
Other Education - South Shore Vocational	\$ 719,259
Public Works Department	\$ 6,304,044
Debt	\$ 5,173,314
Benefits & Insurance	\$ 6,637,839
Utilities	\$ 61,000
Transfers	\$ 190,000
Total General Fund Operating Budget	\$ 52,082,463
Free Cash	\$ 250,000
Indirect Costs - Water Enterprise	\$ 358,739
Cemetery Graves & Foundations Account	\$ 65,000
Cemetery Perpetual Care	\$ 10,000
Title V Betterment Program	\$ 32,851
Ambulance Receipts Reserved	\$ 675,095
Community Preservation Fund	\$ 466,375
<i>Less Total Transfers</i>	<i>\$ 1,858,060</i>
To be raised by the 2015 Tax Levy (General Fund revenues & other sources)	\$ 50,224,403

Advisory Committee
Town Manager

* *Helen Graves make a motion to refer to Town meeting Jerry O'Hearn seconded and it was so voted.*

(19)ARTICLE. To see if the Town will vote to amend Section 6-28 Discharges to the Municipal Storm Drain System, Section 12. Enforcement of the General Bylaws of the Town as indicated below in italics, or take any other action relative thereto.

6-28 Discharges To The Municipal Storm Drain System

Section 12. Enforcement

The Board and Commission or an authorized agent of the Board or Commission shall enforce this By-Law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations. This includes costs borne by the Board, which were directly associated with the investigation that led to the discovery of the illicit discharge.

Civil Relief. If a person violates the provisions of this By-Law, regulations, permit, notice, or order issued thereunder, the Board or Commission may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Orders. The Board and Commission or an authorized agent of the Board or the Commission may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include: (a) elimination of illicit connections or discharges to the MS4; (b) performance of monitoring, analyses, and reporting; (c) that unlawful discharges, practices, or operations shall cease and desist; and (d) remediation of contamination in connection therewith.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed.

Any person that violates any provision of these regulations may be punished, under MGL C. 40 s 21D as a noncriminal offense, ~~by fines of not more than \$300~~ **a fine of \$300**. Each day or portion thereof during which a violation continues shall constitute a separate offense. The Board and Commission or its duly authorized agent is an authorized officer to impose such fines.

Chapemedies Not Exclusive. The remedies listed in these regulations are not exclusive of any other remedies available under any applicable federal, state or local law.

If the property owner violates more than one provision of this By-Law or any condition of an approval issued hereunder, each provision, or condition, so violated shall constitute a separate offense.

Entry to Perform Duties under this By-Law. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Board, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this By-Law and regulations and may make or cause to be made such examinations, surveys or sampling as the Board deems reasonably necessary.

Planning Board
Bylaw Review Committee

** Chris Martin makes a motion to accept the article Helen Graves seconded and it was so voted.*

(20)ARTICLE. To see if the Town will vote to amend the Zoning Bylaw and the Zoning Map for the Town in the manner described below, or take any other action relative thereto:

Delete the existing definition of “Medical Marijuana Treatment Center” in the Hanover Zoning Bylaw, Section 2.100 and add the following new definition:

“Registered Marijuana Dispensary: a not-for-profit entity registered under 105 CMR 725.100, to be known as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying

patients or their personal caregivers. Unless otherwise specified, an RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.”

Amend the Hanover Zoning Map by adding a new overlay zoning district entitled “Registered Marijuana Dispensary Overlay District” as shown on a map entitled “Registered Marijuana Dispensary Overlay District” prepared by the Town of Hanover Planning Department, and dated January 13, 2014.

The boundaries of the Registered Marijuana Dispensary Overlay District shall include all parcels of land included in that portion of the Commercial District which lies northeasterly of the westerly way line of Route 3.

Amend the Hanover Zoning Bylaw, Section 3.010, entitled “Establishment of Districts” by adding a new overlay zoning district as follows:

M. Registered Marijuana Dispensary District (Overlay District)

Amend the Hanover Zoning Bylaw Section 3.100, entitled “Location of Districts” by adding the following language under section 3.120:

H. The Registered Marijuana Dispensary District, an Overlay District, delineated as follows:

2. all of that land included in that portion of the Commercial District which lies northeasterly of the westerly way line of Route 3.

Amend the Hanover Zoning Bylaw, Section 6, “Use Regulations” by deleting Section 6.15, Temporary Moratorium for Medical Marijuana Treatment Centers and replacing it with the following language:

6.15.0 Registered Marijuana Dispensaries

It is the purpose and intent of this Section of the Zoning Bylaw to provide for the limited establishment of Registered Marijuana Dispensaries, as they are authorized by the Humanitarian Medical Use of Marijuana Act, M.G.L. c. 94C, App. § 1-1 et seq., and state regulations adopted by the Massachusetts Department of Public Health under 105 CMR 725.000, the Implementation of an Act for the Humanitarian Medical Use of Marijuana, in locations suitable for lawful Registered Marijuana Dispensaries; to minimize any adverse impacts on adjacent properties, residential neighborhoods, schools, playgrounds and other areas where children congregate, local historic districts and other areas that are incompatible with such uses; and for the location of Registered Marijuana Dispensaries where they may be readily monitored by law enforcement for health and public safety purposes.

It is neither the purpose nor intent of this Section of the Bylaw to supersede any federal or state laws governing the sale or distribution of narcotic drugs.

6.15.0 Uses Permitted by Special Permit and with Site Plan Approval

The below listed uses may be permitted upon application to and the granting of a Special Permit and Site Plan Approval by the Planning Board, acting as the Special Permit Granting Authority, as specified in Section 10 of this Zoning Bylaw. In addition to full compliance with the provisions in this Section, the applicant shall clearly demonstrate to the satisfaction of the Board that there is full compliance with all of the provisions of Sections 5.890, Special Permits, relative to the grant of the

Special Permit, and full compliance with all of the provisions of Section 10, Site Plan Approval, relative to the grant of said Site Plan Approval.

The use of land or structures for a Registered Marijuana Dispensary, as such term is defined in Section 2.100, Definitions, of this Bylaw subject to all of the below listed requirements, conditions, and procedures:

- E. Special Permit Requirements: The following requirements shall be applicable to all applications for a Registered Marijuana Dispensary Special Permit:
 - 6. No Registered Marijuana Dispensary shall commence operations without first applying for and receiving Site Plan Approval and the grant of a Special Permit from the Planning Board, acting as the Special Permit Granting Authority. A Special Permit shall be granted provided that the Planning Board finds that the applicant has complied with all of the terms, requirements, conditions, and procedures of this Section of the Zoning Bylaw. The commercial cultivation [unless it meets the requirements for an agricultural or horticultural exemption under Massachusetts General Laws Chapter 40A, Section 3 or as a hardship cultivation as allowed by state law or regulation], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Registered Marijuana Dispensary under this Section.
 - 7. Any application for a Registered Marijuana Dispensary Special Permit shall be accompanied by an application for Site Plan Approval in accordance with the provisions of Section 10 of this Zoning Bylaw.
 - 8. In addition to the materials required under Section 10 Site Plan Approval, the applicant shall include:
 - s. A copy of its certificate of registration to operate a Registered Marijuana Dispensary issued by the Massachusetts Department of Public Health.
 - t. A proposed timeline for achieving operation of the Registered Marijuana Dispensary and evidence that the applicant will be ready to operate within that proposed timeline.
 - u. A statement indicating the need for a Registered Marijuana Dispensary in the Town of Hanover and the projected service area including the current patient population amounts in that service area.
 - v. Evidence that the applicant has adequate liability insurance.
 - w. Copy of the detailed written operating procedures as required by the Massachusetts Department of Public Health in 105 CMR 725.105 (or its successor regulation) and as otherwise required by other applicable law or regulation.
 - x. Locations of all other Registered Marijuana Dispensaries in Plymouth County.
 - y. A description of the security measures, including employee security policies, required by the Massachusetts Department of Public Health for the Registered Marijuana Dispensary.

- z. A copy of the emergency procedures required by the Massachusetts Department of Public Health for the Registered Marijuana Dispensary.
 - aa. A copy of the policies and procedures for patient or personal caregiver home-delivery required by the Massachusetts Department of Public Health for the Registered Marijuana Dispensary.
 - bb. A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between the Registered Marijuana Dispensary and another Registered Marijuana Dispensary or independent testing laboratory as required by the Massachusetts Department of Public Health.
 - cc. A copy of proposed waste disposal procedures.
 - dd. A description of any waivers from the Massachusetts Department of Public Health regulations granted for the Registered Marijuana Dispensary.
 - ee. Details of proposed water consumption for any site that will include cultivation.
 - ff. Evidence of the applicant's right to use the proposed site of the Registered Marijuana Dispensary facility such as a deed, lease or other real estate instrument.
 - gg. If the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities or business organizations, rather than individuals, the applicant must disclose the identity of the owners of such entities or business organizations for each level of ownership until the disclosure contains the names of all individuals and their addresses.
 - hh. A detailed floor plan of the premises of the proposed Registered Marijuana Dispensary that identifies the square footage available and describes the functional areas of the Registered Marijuana Dispensary, including areas for any preparation of marijuana-infused products.
 - ii. Proposed security measures for the Registered Marijuana Dispensary, including lighting, fencing, storage, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.
 - jj. Detailed site plans that include all of the information required under Section 10 of the Town of Hanover Zoning Bylaw, including distances to any of the uses identified in Subsection 6.15.0.A.2.c and Subsection 6.15.0.A.2.d below.
9. The Planning Board shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, the Conservation Commission, and the Highway Department. These boards/departments shall review the application and shall submit their written recommendations to the Planning Board.

10. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other Town's boards and departments, the Planning Board may act upon such a permit.
- F. Conditions: The following conditions shall be attached to all Registered Marijuana Dispensary Special Permits:
24. Special Permits granted under this Section of the Zoning Bylaw shall remain exclusively with the applicant, who shall be the owner or lessee of the premises described in the application as the site for the proposed Registered Marijuana Dispensary. The Special Permit shall not be assignable or transferable to any other person. The Special Permit shall terminate automatically on the date there is a voluntary or involuntary alienation of the applicant's title or leasehold interest in the premises or the applicant's right to occupy the premises terminates for any reason.
 25. A Special Permit issued under this Section of the Zoning Bylaw shall be valid for a period of one (1) year from the date of the decision. It shall be renewed for successive three (3) year periods provided that a written request for renewal is made to the Planning Board not less than three (3) months prior to the expiration of the then-existing Special Permit, subject to the following:
 - c. Publication of notice of said request shall be made in the same manner as would be required for an original application for a Special Permit. Said notice shall state that the renewal request will be granted unless, prior to the expiration of the then existing permit, a written objection to the renewal, stating reasons for such objection, is received by the Planning Board. In the event of such an objection, a public hearing on the renewal shall be held and shall proceed in a manner identical to the course of proceedings in connection with an original application for the grant of a Special Permit including submission of the same types of materials as required for an original filing.
 - d. The Special Permit shall remain in effect until the conclusion of the public hearing and decision of the Planning Board either granting or denying the Special Permit renewal. In granting any such renewal, the Planning Board may impose additional conditions, including but not limited to; time limits to correct violations, hours of operation and additional screening, upon which a specified lapse of time without correction or compliance by the Special Permit holder shall result in a revocation of the Special Permit.
 26. No Registered Marijuana Dispensary shall be located within two hundred and fifty (250) feet of the Residence A Zoning District.
 27. Registered Marijuana Dispensary may not be located within five hundred (500) feet of any school, daycare center, church, recreational facility or other locations where children may congregate in concentrated numbers such as, but not limited to ball fields, parks or libraries.
 - b. The distances specified in Subsections 3. and 4., above, shall be measured by a straight line from the nearest property line of the premises on which

the proposed Registered Marijuana Dispensary is to be located to the nearest boundary line of the Residence A Zoning District or to the nearest property line of any other designated uses set forth above (as applicable).

28. No Registered Marijuana Dispensary shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet.
29. Registered Marijuana Dispensary shall not be operated without a valid permit from the Hanover Board of Health.
30. Hours of operation for any Registered Marijuana Dispensary shall be established by the Planning Board but in no event shall said facilities be open and/or operating between the hours of 8:00 PM and 8:00 AM, including any delivery services.
31. All exterior building openings, entries and windows shall be screened in such a manner as to prevent the public's view of the interior from any public or private way or from any abutting property.
32. No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Registered Marijuana Dispensary.
33. No Registered Marijuana Dispensary shall be located inside a building containing residential units, (unless hardship cultivation has been allowed by the Massachusetts Department of Public Health) including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.
34. No Registered Marijuana Dispensary may have any flashing lights visible from the exterior of the premises.
35. Exterior signs shall identify the name of the Registered Marijuana Dispensary but shall not contain any other advertisement or information.
36. Each Registered Marijuana Dispensary permitted under this Zoning Bylaw shall as a condition of its Special Permit file an annual report to the Planning Board and the Town Clerk and appear before the Planning Board no later than January 31st annually, providing a copy of all current applicable state licenses and registrations for the Registered Marijuana Dispensary and/or its owners, any updated operating policies required under 105 CMR 725.105 or by the Department of Public Health, the current insurance policies for the Registered Marijuana Dispensary, and demonstrated compliance with the conditions of the Special Permit.
37. The Special Permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) (or its successor regulation) with the Chief of Police and the Planning Board within twenty-four (24) hours of creation by the Registered Marijuana Dispensary. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
38. The Special Permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, deficiency statement, plan of correction, notice of a hearing, or final action regarding the Registered Marijuana Dispensary issued by the Department of

Public Health or the Division of Administrative Law Appeals, as applicable, with the Chief of Police and the Planning Board within forty-eight (48) hours of receipt by the Registered Marijuana Dispensary.

39. The Special Permit holder shall provide to the Planning Board and the Chief of Police, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder and the Special Permit holder shall immediately notify the Planning Board and the Chief of Police of any changes.
40. The Planning Board shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Registered Marijuana Dispensary in the event the Town must remove the facility. The value of the bond shall be based upon the ability to completely remove all material, plants, equipment and other paraphernalia associated with the Registered Marijuana Dispensary and to properly clean the facility at the applicable prevailing wages. The value of the bond shall be developed based upon the applicant providing the Planning Board with three (3) written bids to meet the bond requirements set forth herein. An incentive factor of 1.5 shall be applied to all bonds to ensure compliance and adequate funds for the Town to remove the items at prevailing wages.
41. Proposed Registered Marijuana Dispensary shall be subject to the provisions of Section 11 and Section 10.030 of the Zoning Bylaw for project thresholds, submission of a Development Impact Statement (DIS), and mitigation of development impacts accordingly. Said DIS shall include sections addressing impacts from the proposed development on the community, environment, traffic, municipal facilities and services (police, fire, public works, etc.), water supply, utilities and infrastructure and wastewater. The Traffic Impact Assessment required under Section 10.120.A. shall be prepared by a registered professional Traffic or Civil Engineer. The Environmental Impact Assessment required under Section 10.120.B. shall be prepared by a registered professional Environmental Engineer or other qualified professional(s) with expertise in the relevant subject matter areas.
42. The applicant shall mitigate all off-site traffic impacts anticipated by the proposed development, through the provision of reasonable off-site improvements to road capacity and safety or by other effective means.
43. The DIS shall include an assessment of the odor, safety, sound and visual impacts from the proposed development on adjacent properties and shall propose buffering and screening sufficient to mitigate odor, safety, sound and visual impacts from the proposed development.
44. The applicant shall contribute to the Hanover Police DREAM fund as mitigation for the potential adverse social and public health costs from the cultivation, sale, distribution and use of marijuana. The amount of mitigation shall be based on the annual gross sales of the Registered Marijuana Dispensary. The Registered Marijuana Dispensary shall annually supply a report and appear before the Planning Board no later than January 31st annually indicating the gross sales and

supply a payment equal to five (5%) percent of gross sales to the Town of Hanover Police Dream fund.

45. Proposed Registered Marijuana Dispensaries shall be subject to the provisions of Section 10.150 Architectural Design Review of the Zoning Bylaw.
 46. A Special Permit may be granted only after a determination by the Planning Board that adequate and reasonable safeguards exist to assure on a continuing basis that minors will not be allowed to gain entrance to any Registered Marijuana Dispensary, along with compliance with all other applicable requirements set forth herein.
- G. Procedural Requirements: The following procedural requirements shall be applicable to any application for a Registered Marijuana Dispensary Special Permit:
6. A Special Permit granted under this section shall lapse within one (1) year, including such time required to pursue or await the determination of an appeal as referred to in Massachusetts General Laws Chapter 40A, Section 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause, or, in the case of a permit for construction, if construction has not begun by such date except for good cause.
 7. A Registered Marijuana Dispensary Special Permit issued under this Section of the Bylaw shall require that the owner of such business shall supply on a continuing basis to the Planning Board, Building Inspector and Zoning Enforcement Officer any change in the name of the record owner of address or any change in the name of the current manager; and that failure to comply with this provision shall result in the immediate revocation of such Special Permit.
 8. In the event the Massachusetts Department of Public Health cancels, revokes or non-renews the certificate of registration for the Registered Marijuana Dispensary, the Special Permit shall immediately become void.
 9. The Registered Marijuana Dispensary shall be required to remove all materials, plants, equipment and other paraphernalia upon the revocation, abandonment, cancellation, lapse, non-renewal or termination of the Special Permit for any reason.
 10. Any existing Registered Marijuana Dispensary shall be required to apply for a Special Permit within ninety (90) days following the adoption of this Section of the Zoning Bylaw.
- H. Severability: The provisions of this Section of the Zoning Bylaw are severable and, if any of those provisions shall be held to be unconstitutional by any court of competent jurisdiction or otherwise held invalid, the remaining provisions shall remain in full force and effect.

Planning Board

** Helen Graves makes a motion to support the decision of the Planning*

Board Nicole Duhamel seconded and it was so voted.

(21)ARTICLE. To see if the Town will vote to amend the Zoning Bylaw for the Town in the manner described below, or take any other action relative thereto:

Amend the Hanover Zoning Bylaw, Section 6.11.30 (VPUD) Dwelling Unit Design Requirements, by deleting this subsection and replacing it with the following:

To be inserted in place of Section 6.11.30.A

B. Dwelling units in a VPUD shall be comprised of a mixture of dwelling types that allow for an economically viable mix of units such that:

4. Not less than one-third (1/3) of the total number of units shall be one-bedroom units.
5. Not less than one-third (1/3) of the total number of units shall be two-bedroom units.
6. Not more than one-third (1/3) of the total number of units shall be three or more bedroom units.

The foregoing mixture of dwelling types shall apply to a VPUD except to the extent that the requirements of this subsection are reduced, amended or waived by the Planning Board for good cause shown, consistent with the purposes of Section 6.11.0 (Village Planned Unit Development) of this Zoning Bylaw.

Planning Board

** Helen Graves moves to support the Planning Board motion Jerry O'Hearn seconded and it was so voted.*

(38)ARTICLE. To see if the Town will vote to raise and appropriate, appropriate from available funds, re-appropriate from the unexpended balances of previous Town Meeting articles, and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$225,000, or another sum, to perform repairs to the Factory Pond Dam as required by the Commonwealth of Massachusetts, and furthermore to authorize the Board of Selectmen to enter into any and all inter-municipal agreements with the Town of Hanson that may be necessary to complete said repairs and to accept any permanent and or temporary easements that may be required to perform said repairs, said work to be done at the direction of the Town Manager and Director of Public Works, who are authorized to apply for and accept any Federal or State assistance that may be available, or take any other action relative thereto.

Town Manager
Director of Public Works

** Helen Graves makes a motion to refer to Town Meeting Jerry O'Hearn seconded and it was so voted.*

40)ARTICLE. To see if the Town will vote to accept the following streets as public ways, or take any other action relative thereto:

Bard Rock Lane: The entire length of Bard Rock Lane, as shown on a plan entitled "Roadway as-built and acceptance plan – Bard Rock Lane" prepared by Cavanaro Consulting, dated December 26, 2013, a copy of which is on file in the office of the Hanover Department of Public Works.

Director of Public Works

** Helen Graves made the motion to refer this to Town Meeting Don White seconded and it was so voted.*

(44)ARTICLE. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$38,000, or another sum for the purpose of installing a ceiling beneath the exposed metal decking in the kitchen of the Cedar Elementary School, or take any other action relative thereto.

Facilities Engineering Manager

** Helen Graves makes a motion to deny this article Jerry O’Hearn seconded and it was so voted.*

(46)ARTICLE. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$10,000, or another sum for the purpose of a study for the replacement of Fire Stations 1, 2, and 3 with a new fire station in the northern area of the Town, or take any other action relative thereto.

Facilities Engineering Manager

** Helen Graves made the motion to accept this article Nicole Duhamel seconded and it was so voted. Angela Blanchard recused herself from the vote.*

(47)ARTICLE. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$65,000, or another sum for the purpose of repair and maintenance to the cupola on the Hanover Town Hall, or take any other action relative thereto.

Facilities Engineering Manager

** Helen Graves moved to refer this to Town Meeting Jerry O’Hearn seconded and it was so voted.*

(49)ARTICLE. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$70,000, or another sum for the purpose of preparing and painting the exterior wooden features and trim on Hanover Town Hall, or take any other action relative thereto.

Facilities Engineering Manager

** Helen Graves moves to refer this to Town Meeting Chris Martin seconded and it was so voted.*

(52)ARTICLE. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$113,000, or another sum for the purchase of an emergency generator for the Hanover Senior Center, including the payment of all costs incidental or related thereto, or take any other action relative thereto.

Facilities Engineering Manager

** Helen Graves makes a motion to refer this to Town Meeting Don White seconded and it was so voted.*

(54)ARTICLE. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$50,000, or another sum for the purpose of renovation of the kitchen facilities at the Fire Department Headquarters Building, or take any other action relative thereto.

Facilities Engineering Manager

** Helen Graves moves to appropriate \$50,000 Jerry O'Hearn seconded and it was so voted. Angela Blanchard recused herself from the vote.*

(55)ARTICLE. To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$14,617, or another sum to fund certain technology upgrades related to Town Hall, or take any other action relative thereto.

Finance Director

**Helen Graves makes a motion to appropriate \$14,617 Wayne Moores seconded and it was so voted.*

(59)ARTICLE. To see if the Town will vote, Pursuant to Massachusetts General Laws (M.G.L.) Chapter 44B (Community Preservation), and the Hanover General Bylaws, Section 4-19, to appropriate \$50,000 from the Town's Community Preservation Fund (CPF) Undesignated Reserve Balance to "create a Trail Feasibility Study", within the scope approved by the Community Preservation Committee, said funds to be expended for the purposes stated herein by the Town Manager, under the direction of the Community Preservation Committee, or take any other action relative thereto.

Community Preservation Committee

Open Space Committee

**Helen Graves moves to refer this article to Town Meeting Don White seconded and it was so voted.*

(60)ARTICLE. To see if the Town will vote, Pursuant to Massachusetts General Laws (M.G.L.) Chapter 44B (Community Preservation), and the Hanover General Bylaws, Section 4-19, to appropriate \$20,000 from the Town's Community Preservation Fund (CPF) Undesignated Reserve Balance to "develop an architectural design for a pocket park at the Gallant Field on the former Curtis School site for passive recreational use", within the scope approved by the Community Preservation Committee, said funds to be expended for the purposes stated herein by the Town Manager, under the direction of the Community Preservation Committee, or take any other action relative thereto.

Community Preservation Committee

**Don White makes the recommendation to deny this article Chris Martin seconded and it was so voted.*

(65)ARTICLE. To see if the Town will vote to accept the amendments show below to the current General Bylaws 4-12, Sections 1 and 3. in order to reflect the duties and responsibilities of the Town Manager as shown in “an Act establishing a Town Manager form of Government for the Town of Hanover”, or take any other action relative thereto.

4-12 CONSERVATION COMMISSION

Section 1. There shall be a Conservation Commission, established under the Conservation Act, General Laws, Chapter 40, Section 8C, composed of five members appointed by the ~~Board of Selectmen~~ **Town Manager subject to the approval of the Selectmen**, each for a term of three **(3)** years, ~~provided that effective July 1, 1990,~~ The term of one member shall be two **(2)** years for the duration of that members term only. A chairman and a co-chairman shall be elected by a majority of the commission for a term of one year.

Section 3. The Conservation Commission of the Town of Hanover, may have two (2) Associates Members. The Associate Members shall be appointed by the ~~Selectmen~~ **Town Manager subject to the approval of the Selectmen**, on the recommendation of the Conservation Commission each for a term of two (2) years. Associate Members shall be authorized to act with the authority of a Conservation Commission member, when asked to do so by the remaining members of the Commission, so as to act in the case of absence, an inability to act, or conflict of interest on the part of any member of the Conservation Commission or in the event of a vacancy on the Board-

Board of Selectmen

**Helen Graves moves to refer this to Town Meeting Jerry O’Hearn seconded and it was so voted*

Adjourn:

Nicole Duhamel made the motion to adjourn at 10:12 PM Chris Martin seconded and it was so voted.